

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32338 of 2015

Arising Out of PS.Case No. -35 Year- 2014 Thana -AKHODHIGOLA District- SASARAM
(ROHTAS)

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Rajgaurav @ Raj Gaurav, Secretary, Indradeo Singh Seva Sansthan, Ara,
son of Sri Chaturgun Prasad, resident of Lilawati Niwas, Praduman Sah Ka
Hata, Ramgarhia More, P.S.-Ara Town, District-Bhojpur at Ara

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Kumar Singh, Advocate

For the Opposite Party/s : Mr. Amit Kumar Rakesh(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 18-08-2015 Heard learned counsel for the petitioner and the

learned counsel for the State.

The petitioner is apprehending his arrest in
connection with Akorhigola P.S. Case No.35 of 2014 for
allegedly having committed the offence under Sections 409 and
420/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
allegation has been made against the accused-petitioner that on
the basis of a wrong measurement made by the Junior Engineer
in connivance with the petitioner, the petitioner was paid a sum
of Rs.79,760/- towards work done by him. The allegation in the
F.I.R. is that while the petitioner had cleaned up an area of only
592 square meter in the office of the District Health

Committee, the petitioner submitted bill for an area of 5822 square meter, for which he obtained full payment of Rs.79,760/-. Learned counsel for the petitioner submits that the Junior Engineer, who had done such measurement on the basis of which he received payment, has been extended the privilege of regular bail by the court below.

Considering the nature of allegations made against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. It is, accordingly, rejected.

However, if the petitioner surrenders in the court below i.e., in the court of the learned Additional Chief Judicial Magistrate, Dehri, Rohtas, in connection with the present case within a period of three weeks from the date of receipt/production of a copy of this order, and prays for bail, his case may be considered subject to the condition as mentioned in the order, by which the said Junior Engineer has been granted the privilege of regular bail.

(Anjana Mishra, J)

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